

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR 18-14-GF-BMM
)	
STANLEY PATRICK WEBER,)	
)	
Defendant.)	

UNOPPOSED MOTION TO POSTPONE TRIAL DATE

COMES NOW the Defendant, Stanley Patrick Weber, by and through his undersigned counsel, moves this court for an unopposed order continuing the trial in this case until after conclusion of the companion case in South Dakota.

AS GROUNDS THEREFOR, the Defendant states as follows:

1. This is an action wherein Defendant Stanley Patrick Weber (“Weber”) is charged with violations of §18 USC et al concerning the alleged sexual abuse of minors. Weber has pleaded not guilty, and the court conducted an omnibus motions’ hearing on July 10, 2018. The trial is presently scheduled for August.
2. In addition to this case, Weber is under indictment for similar charges in federal court in South Dakota. As reflected by testimony delivered at the omnibus motions’ hearing, the information that precipitated the present case derives from the investigation in South Dakota. That’s where Weber was initially contacted by law enforcement, where he was first indicted, and where the most recent criminal conduct is alleged to occur.

3. Besides sharing a common investigation, the motions' hearing made clear that the alleged victims from one case will be presented as witnesses in the other case, based on Federal Rule of Criminal Procedure 413 and 414 (allowing propensity evidence in case where the defendant stands accused of sexual molestation). There are two alleged victims in this present Montana case and three victims in South Dakota, although recent investigatory materials reflect that additional alleged victims, also in South Dakota, may serve as witnesses. It is apparent that most of the testimony, as with the other gathered evidence, is from South Dakota.

4. Given these parameters, the parties believe that it would be most expeditious for the South Dakota case to proceed before this present case. For practical purposes, most of the involved parties are in South Dakota. That is also where the most recent criminal episodes are claimed to have occurred and where the most egregious (and most severely punished) conduct is asserted. And that is where the investigators began the collection of evidence. In fact, discussions have been broached between the parties about the prospect of seeking consolidation of this case with South Dakota's.

5. Presuming no merger, this case might still resolve following the completion of the South Dakota case. The lawyers continue to keep plea negotiations open and ongoing.

6. Defendant recognizes that this request invites some ambiguity, insofar as the South Dakota case does not yet have a trial date set. If appropriate, Defendant pledges to provide periodic, monthly status reports regarding the scheduling of the South Dakota case so that any of this court's concerns about an open-ended delay are assuaged. In addition, Defendant agrees to stay any speedy trial deadlines in this case until such time as the South Dakota case resolves.

7. Undersigned counsel has conferred with Assistant United States Attorney Jeffrey K. Starnes, Esq., representing the United States of America in this case. Mr. Starnes has indicated that he does **not** object to the relief requested.

WHEREFORE, the Defendant prays for the relief requested, and for such other and further relief as to the Court sees just and proper in the premises.

Dated this 13th day of July, 2018.

Respectfully submitted,

/s/ Ryan T. Cox
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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of July, 2018, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties entered in the case.

/s/ Ryan T. Cox
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